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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 LINCOLN LANE ADDLEMAN,

9 Plaintiff,

10 v.

11 KING COUNTY, et al.,

12 Defendants.

CASE NO. C09-275RSM

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING ACTION

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14 The Court, having reviewed plaintiff's complaint, the Report and Recommendation of United
15 States Magistrate Judge Brian A. Tsuchida, and plaintiff's objections thereto, does now find and
16 ORDER:

17 (1) The Report and Recommendation is approved and adopted, and the action is DISMISSED;

18 (2) Plaintiff's Rule 60(b) motion is STRICKEN as improper;

19 (3) Plaintiff's motions to show cause (Dkt. # 6) to return the filing fee (Dkt. # 7), and for an order
20 of transport (Dkt. # 8) are all DENIED;¹ and

21 (4) The Clerk shall direct copies of this Order to plaintiff at has address of record, and to the Hon.
22 Brian A. Tsuchida, United States Magistrate Judge.

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26 ¹Plaintiff asserts that the filing fee paid by a third party should be returned as it was in *Zaxy Tax*
27 *Enterprises v. King County*, C05-709JCC. However, in that case the two individual plaintiffs were
granted leave to proceed *in forma pauperis*, so the filing fee was returned to the payor. Here, plaintiff
has not been granted leave to proceed *in forma pauperis*, so the filing fee shall not be returned.

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3 Dated this 22nd day of April, 2009.
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5 RICARDO S. MARTINEZ
6 UNITED STATES DISTRICT JUDGE
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